



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

November 4, 2016

System No. 3500823

Garry Solmonson, President
Best Road Mutual Water Company
550 Heatherwood Estates Dr.
Hollister, CA 95023

COMPLIANCE ORDER NO. 02_05_16R_005

VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a)(1) AND (a)(3), AND CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64431

Enclosed is a Compliance Order issued to the Best Road Mutual Water Company public water system.

The Best Road Mutual Water Company will be billed at the State Water Resources Control Board's (hereinafter "State Board") hourly rate for the time spent on issuing this Compliance Order. California Health and Safety Code, Section 116577, provides that a public water system must reimburse the State Board for actual costs incurred by the State Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a compliance order. At this time, the State Board has spent approximately two hours on enforcement activities associated with this violation.

The Best Road Mutual Water Company will receive a bill sent from the State Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Best Road Mutual Water Company for the current fiscal year.

If you have any questions regarding this matter, please contact Jonathan Weininger of my staff at (831) 655-6932 or me at (831) 655-6934.

Sincerely,

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

Enclosures

Certified Mail No. 7008-1830-0004-5435-2671

cc: San Benito County Environmental Health Department

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1 Lower Ragsdale, Bldg. 1, Suite 120, Monterey, CA 93940 | www.waterboards.ca.gov

2
3 STATE OF CALIFORNIA
4 STATE WATER RESOURCES CONTROL BOARD
5 DIVISION OF DRINKING WATER
6

7 **Name of Public Water System: Best Road Mutual Water Company**

8
9 **Water System No:** 3500823

10
11 **To:** Gary Solmonson, President
12 Best Road Mutual Water Company
13 550 Heatherwood Estates Dr.
14 Hollister, CA 95023
15

16 **Issued:** November 4, 2016
17

18 **COMPLIANCE ORDER FOR VIOLATION OF**
19 **HEALTH AND SAFETY CODE SECTION 116555 (a)(1) and (a)(3)**
20 **AND CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64431**
21 **July - September 2016**
22

23 The California Health and Safety Code (hereinafter "CHSC"), Section 116655
24 authorizes the State Water Resources Control Board (hereinafter "State
25 Board") to issue a compliance order to a public water system when the State
26 Board determines that the public water system has violated or is violating the
27 California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC,
28 Division 104, Part 12, Chapter 4, commencing with Section 116270), or any
29 regulation, standard, permit, or order issued or adopted thereunder.
30

The State Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues this compliance order pursuant to Section 116655 of the CHSC to the Best Road Mutual Water Company (hereinafter Best Road MWC) for violation of CHSC, Section 116555(a)(1) and (a)(3) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64431.

A copy of the applicable statutes and regulations are included in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

Best Road MWC is classified as a community water system and serves a population of approximately 133 individuals through 48 service connections. Best Road MWC uses two active groundwater wells identified as Well 01 and Well 02.

Best Road MWC was issued Amendment No. 001 to Water System Permit 02-05-95P3500823 on November 2, 2012 to approve an arsenic blend of Well 01 (historically elevated arsenic) and Well 02. The permit amendment moved the point of compliance for arsenic to a sample point downstream of where blending of the two wells is achieved and before any service connections.

CCR, Title 22, Section 64432(i) specifies that compliance with the arsenic maximum contaminant level (MCL) is based on a running annual average (RAA) of the monitoring samples, computed each quarter. A summary of Best Road MWC's last four quarters of arsenic monitoring results at the Well 01 and Well 02 blend location is presented in Table 1 below. All results are as reported to the Division by the laboratory that performed the analysis.

Table 1: Well 01 and 02 Blend Arsenic Monitoring Results

Sample Quarter	Well 01 & 02 Blend
4 th Quarter 2015 Average	0.0112 mg/L
1 st Quarter 2016 Average	0.0086 mg/L
2 nd Quarter 2016 Average	0.0114 mg/L
3 rd Quarter 2016 Average	0.0182 mg/L
RAA=(0.0112+0.0086+0.0114+0.0182) / 4	0.0124 mg/L

After the completion of the 3rd quarter 2016, the RAA for the Well 01 and Well 02 blend is 0.012 mg/L, which exceeds the arsenic MCL of 0.010 mg/L.

DETERMINATION

CCR, Title 22, Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic constituents. Community and nontransient noncommunity water systems must comply with the MCL for arsenic of 0.010 mg/L, as established in CCR, Title 22, Section 64431. Section 64432 (i) specifies that compliance with the arsenic MCL is based on a RAA of the quarterly monitoring samples, computed each quarter. On the basis of the above Statement of Facts, the Division has determined that Best Road MWC violated CHSC and Title 22, CCR, Section 64431 during the third quarter of 2016.

These violations include, but are not limited to the following:

1. CHSC Section 116555(a)(1). Specifically, Best Road MWC is operating a water system that produces water that does not comply with a primary drinking water standard at all times.

2. CHSC Section 116555(a)(3). Specifically, Best Road MWC is operating a water system that does not reliably provide water that is pure, wholesome, healthful and potable water.

3. Section 64431, Chapter 17, Title 22 of the CCR. Specifically, Best Road MWC has failed to comply with the MCL for arsenic of 0.010 mg/L.

DIRECTIVES

The Best Road Mutual Water Company is hereby directed to take the following actions:

1. Comply with CCR, Title 22, Section 64431 and remain in compliance.
2. On or before **November 30, 2016**, submit a written response to the Division indicating agreement to comply with the directives of this Order and with the Corrective Action Plan addressed herein.
3. Commencing on the date of service of this Order, provide quarterly public notification pursuant to CCR, Title 22, Section 64463.4, during any calendar quarter that the four-quarter RAA exceeds the MCL. The third quarter 2016 public notification shall be distributed by **November 30, 2016** in accordance with the directives of this Order. Appendix 2: Notification Template may be used to fulfill this directive. The distribution of the notification must be completed by the following methods:
 - (a) Direct distribution by hand delivery or direct mailing
 - (b) Posting in conspicuous public places served by the water system

- 1 4. The notice must be submitted to the Division for approval prior to
2 distribution.
- 3
- 4 5. Commencing on the date of service of this Order, submit proof of each
5 public notification conducted in compliance with Directive No. 3, herein
6 above, within 10 days following each such notification, using the form
7 provided as Appendix 3 hereto.
- 8
- 9 6. Commencing on the date of service of this Order, collect weekly
10 samples for arsenic from the Well 01 and Well 02 blend compliance
11 location and collect monthly wellhead arsenic samples from Well 01
12 and Well 02, as required by Section 64432(a) and (g), and ensure that
13 the analytical results are reported to the Division electronically by the
14 analyzing laboratory no later than the 10th day following the month in
15 which the analysis was completed.
- 16
- 17 7. Prepare a Corrective Action Plan for Division approval that identifies
18 improvements to the Best Road MWC water system designed to
19 correct the water quality problem (violation of the arsenic MCL) and
20 ensure that Best Road MWC delivers water to consumers that meets
21 primary drinking water standards. The plan shall include a time
22 schedule with dates for completion of each of the milestones of the
23 project which may include but are not limited to planning, design,
24 construction, and startup, and a date as of which Best Road MWC will
25 be in compliance with the arsenic MCL at the Well 01 and Well 02
26 blend compliance location. The date of compliance with the arsenic
27 MCL at the Well 01 and Well 02 blend compliance location shall be no
28 later than **December 31, 2019**.

1 MCL at the Well 01 and Well 02 blend compliance location shall be no
2 later than **December 31, 2019**.

3
4 8. On or before **January 20, 2017** present the Corrective Action Plan
5 required under Directive No. 6, above, to the Division in person at the
6 Division's offices located at 1 Lower Ragsdale Drive, Building 1, Suite
7 120, in Monterey, California. Please contact the Monterey District
8 office in advance to schedule an appointment.

9
10 9. Complete the Division-approved Corrective Action Plan and each and
11 every element of said plan according to the time schedule set forth
12 therein.

13
14 10. On or before **April 10, 2017** and every three months thereafter, submit
15 a progress report to the Division showing actions taken during the
16 previous calendar three months to comply with the Corrective Action
17 Plan, using the form provided as Appendix 4 hereto. The following due
18 dates for each calendar quarter are as follows:

19

Calendar Quarter	Progress Report Due Date
January 1 – March 30	April 10
April 1 – June 30	July 10
July 1 – September 30	October 10
October 1 – December 31	January 10

20
21 11. Not later than ten (10) days following the date of compliance with the
22 arsenic MCL as specified in the Corrective Action Plan required in

1 Directive 6, demonstrate to the Division that the water delivered by Best
2 Road MWC complies with the arsenic MCL.

3
4 12. Notify the Division in writing no later than five (5) days prior to the
5 deadline for performance of any Directive set forth herein if Best Road
6 MWC anticipates it will not timely meet such performance deadline.

7
8 13. Until returning to compliance, all future annual Consumer Confidence
9 Reports shall include the following information related to this Order: the
10 length of the violation, potential adverse health effects of arsenic, and
11 actions taken by the water system to address the violation. A draft
12 Consumer Confidence Report shall be submitted to the Division for
13 review and approval prior to distribution.

14
15 All submittals required by this Compliance Order shall be electronically
16 submitted to the Division at the following address with the appropriate file name
17 as provided in Appendix 5:

18
19 Jan Sweigert, P.E.
20 District Engineer, Monterey District Office
21 Dwpdist05@waterboards.ca.gov
22

23 The State Board reserves the right to make such modifications to this Order as
24 it may deem necessary to protect public health and safety. Such modifications
25 may be issued as amendments to this Order and shall be effective upon
26 issuance.

PARTIES BOUND


This Order shall apply to and be binding upon the Best Road Mutual Water Company its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Order are severable, and Best Road Mutual Water Company shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this Compliance Order.


Stefan Cajina, P.E., Chief
North Coastal Section
State Water Resources Control Board
Division of Drinking Water

Nov. 4, 2016
Date

**Appendices (4):**

1. Applicable Statutes and Regulations
2. Notification Template
3. Compliance Certification Form
4. Quarterly Progress Report Form
5. Guidelines for Electronic Submission of Data

Certified Mail No. 7008-1830-0004-5435-2671

APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS

For Compliance Order No. 02_05_16R_005

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271 (Transition of CDPH duties to State Board) states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

(k)

- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
- (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116555 (Operational Requirements) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (1) Complies with primary and secondary drinking water standards.
- (2) Will not be subject to backflow under normal operating conditions.
- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116655 (Orders) states:

(a) Whenever the state board determines that any person has violated or is violating this chapter, or any order, permit, regulation, or standard issued or adopted pursuant to this chapter, the state board may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the state board.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the state board.

California Code of Regulations, Title 22 (CCR):**Section 64431 (Maximum Contaminant Levels--Inorganic Chemicals) states:**

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

**Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals**

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO ₃)	45.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Section 64432 (Monitoring and Compliance--Inorganic Chemicals) states in relevant part:

- (a) All public water systems shall monitor to determine compliance with the nitrate and nitrite MCLs in table 64431-A, pursuant to subsections (d) through (f) and Section 64432.1. All community and nontransient-noncommunity water systems shall monitor to determine compliance with the perchlorate MCL, pursuant to subsections (d), (e), and (f), and section 64432.3. All community and nontransient-noncommunity water systems shall also monitor to determine compliance with the other MCLs in table 64431-A, pursuant to subsections (b) through (n) and, for asbestos, section 64432.2. Monitoring shall be conducted in the year designated by the State Board of each compliance period beginning with the compliance period starting January 1, 1993. (b) If personnel other than certified operators will be performing field tests and/or collecting samples, the sample siting plan shall include a declaration that such personnel have been trained, pursuant to §64415 (b).
- (g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

- (1) Inform the State Board within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or
- (2) Inform the State Board within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the State Board within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.
- (i) Compliance with the MCLs shall be determined by a running annual average; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

Section 64463.4 (Tier 2 Public Notice) states:

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
 - (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
 - (A) Where a Tier 1 public notice is required under section 64463.1; or
 - (B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
 - (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
 - (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or
 - (4) Failure to comply with the terms and conditions of any variance or exemption in place.
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
 - (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
 - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
 - (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.
- (c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:
 - (1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
 - (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and
 - (B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):
 1. Publication in a local newspaper;
 2. Posting in conspicuous public places served by the water system, or on the Internet; or
 3. Delivery to community organizations.
 - (2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:
 - (A) Posting in conspicuous locations throughout the area served by the water system; and
 - (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:
 1. Publication in a local newspaper or newsletter distributed to customers;
 2. E-mail message to employees or students;
 3. Posting on the Internet or intranet; or
 4. Direct delivery to each customer.

Section 64465 (Public Notice Content and Format) states in relevant part:

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
- (2) The date(s) of the violation or occurrence;
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time." ...

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(2) For a Tier 2 or Tier 3 public notice:

- (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
- (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
 1. Information in the appropriate language(s) regarding the importance of the notice;
 - or
 2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and

(3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

Appendix 64465-D (Health Effects Language - Inorganic Contaminants) states in relevant part:

Contaminant	Health Effects Language
Arsenic	Some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer.

Section 64469 (Reporting Requirements) states in relevant part:

(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

Section 64481 (Content of the Consumer Confidence Report) states in relevant part:

(d) For contaminants identified in subsection (c), the water system shall include in the Consumer Confidence Report one table or several adjacent tables that have been developed pursuant to this subsection. Any additional monitoring results that a water system chooses to include in its Consumer Confidence Report shall be displayed separately.

(3) The table(s) shall clearly identify any data indicating violations of MCLs, regulatory action levels, MRDLs, or treatment techniques and the Consumer Confidence Report shall give information on each violation including the length of the violation, potential adverse health effects (PDWS only), and actions taken by the system to address the violation. To describe the potential health effects, the system shall use the relevant language pursuant to appendices 64465-A through H;

APPENDIX 2. NOTIFICATION TEMPLATE

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Best Road Mutual Water Company Has Levels of Arsenic Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Compliance for arsenic is determined by a running annual average (RAA) of quarterly sample results. Water sample results received on [dates] showed arsenic levels of [level and units] for an RAA of _____. This is above the standard, or maximum contaminant level (MCL), of 0.010 milligrams per liter.

What should I do?

- **You do not need to use an alternative water supply (e.g., bottled water).**
- This is not an emergency. If it had been, you would have been notified immediately. However, *some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer.* If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

[Describe corrective action]. We anticipate resolving the problem within [estimated time frame].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Best Road Mutual Water Company

State Water System ID: 3500823

Date distributed: _____

APPENDIX 3. COMPLIANCE CERTIFICATION

Compliance Order No. 02_05_16R_005

Name of Water System: Best Road Mutual Water Company

System Number: 3500823

Certification

I certify that the users of the water supplied by this water system were notified of the violations of California Code of Regulations, Title 22, as indicated below:

Required Action	Date Completed
Mail or Direct delivery of notice	
Posting in conspicuous public places served by the water system	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE BOARD, DIVISION
OF DRINKING WATER**

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

APPENDIX 4. QUARTERLY PROGRESS REPORT

Compliance Order No. 02_05_16R_005

Water System: Best Road Mutual Water Company	Water System No: 3500823
Violation: Arsenic MCL Violation	
Calendar Quarter:	Date Prepared:

Summary of Compliance Plan

--

Tasks Completed in the Quarter

--

Tasks Remaining to Complete

--

Anticipate Compliance Date:

--

System Representative Name & Title: _____

System Representative Signature: _____

This form should be prepared and signed by the water system personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress must be submitted by the 10th day of the month following the end of each subsequent quarter.

APPENDIX 5. Guidelines for Electronic Submission of Documents

Compliance Order No. 02_05_16R_005

To ensure consistent and reliable processing of the documents you submit to the Division of Drinking Water (DDW), please follow the formatting, labeling, and submission procedures described below:

CREATION OF ELECTRONIC DOCUMENTS (PDF FILES)

For more efficient processing, we request that you submit all documents to DDW offices **in a Portable Document Format (PDF) file**.

Please note that after review of your submission, DDW staff may request a hardcopy of certain documents, particularly drawings or maps that require a large size to be readable. In other cases – for instance, where the evaluation of data is required – DDW staff may request that documents be submitted in other electronic formats

1) Convert your submittal into PDF format. The PDF file should:

- a. Have a one-to-one relationship between the document being created and the information within the document. For example: If you are submitting both monthly bacteriological results and a monthly treatment plant monitoring report, you would create two separate documents: one document labeled appropriately for the bacteriological results and one document labeled appropriately for the treatment plant monitoring report.
- b. Contain the entire document, maintaining organization and layout, including page orientation, size, margins, fonts, table formats, page numbers, etc.
- c. Be clear and legible.
- d. Be named per the instructions in Item #2 below.
- e. Allow the reviewer to copy text and images into common word processing documents. For scanned documents, the document should be processed using Optical Character Recognition (OCR). If you do not have this technology, we will attempt to process the document using OCR as deemed necessary.

Note: Where a signature is specifically required by law or regulation, you should sign the document prior to converting to a PDF file and maintain the signed hardcopy of the document in your records for the period of time prescribed in the law or regulation.

2) Name each individual PDF file as follows:

- a. Create a filename with the following information:
 - i. Water System Number—(e.g. 1234567)
 - ii. Water System Name—(e.g. ABC Water Company)
 - iii. Compliance Period—Year and month or quarter that the document covers, if applicable—(e.g. 2015July).
 - iv. Document Link—Use the following table to choose the Document Link that applies to the document you are submitting:

Document Link	Documents Pertaining to:
TCR	Monthly monitoring and summaries for the Total Coliform Rule and Revised Total Coliform Rule (RTCR) (routine distribution system bacteriological monitoring data)
SWTR	Monthly treatment plant monitoring reports for surface water
WTP	Monthly treatment plant monitoring reports, non-surface water
RAWB	Raw (source) water bacteriological data
RAWC	Raw water chemical monitoring data
LT2	Raw water monitoring in accordance with Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR)
LCR	Lead and copper tap sampling data
PN	Public notification documents
MRDL	Disinfectant running annual average reporting
DBP	Disinfection byproduct reporting
GP	Distribution monitoring for general physicals
QPR	Quarterly progress report

Note: If there is not an applicable Document Link in the table above, use a word that describes the subject of the document you are submitting.

Example of complete filename: 1234567-ABC Water Company-2015July-TCR

SUBMISSION OF ELECTRONIC DOCUMENTS

1) Submission via Email

Note: DDW email servers can only receive emails less than or equal to 50 megabytes (50 MB) in size

- a. Attach **one** PDF file to an email. Enter the same information in the Subject line of the email as you used in the filename for the attachment to the email (e.g., "1234567-ABC Water Company-2015July-TCR"); see Item # 2 above for instructions. Send to: dwpdist05@waterboards.ca.gov

OR

- b. For **each** water system - attach *multiple* PDF files to an email, ensuring total size is less than 50 MB.

This option should only be utilized if all of the PDF files to be attached to one email pertain to the same water system. Please do not attach PDF files for multiple water systems on one email. Enter the water system number, name, and date in the Subject line of the email (e.g., "1234567-ABC Water Company-July2015"). Send to: dwpdist05@waterboards.ca.gov

Note: If emails with PDF attachments are not sent according to (a) or (b), the Division will reply to the email submittal with instructions for a correct re-submittal.

2) Submission of files greater than 50 MB in size

- a. Split documents into files smaller than 50 MB total and email per instructions in #1 above; OR

- b. Upload your documents to a DDW FTP website. Contact the DDW District office that oversees your water system for further details; OR
- c. Transfer to a CD-ROM. **After transfer to CD-ROM, verify it is readable.** Label the jewel case or envelope of the CD-ROM with the water system number and name (e.g., "1234567-ABC Water Company"). Mail to the following address:

State Water Resources Control Board – Division of Drinking Water
1 Lower Ragsdale Dr., Bldg 1, Suite 120
Monterey, CA 93940

3) Submitting checks for payment of fees

The DDW does not accept electronic transfer of funds. Please continue to **mail** all checks to the address you normally send them to, along with a paper cover letter and any necessary attachments.

Special instructions regarding laboratories:

Please notify your laboratory of our electronic submission requirements for routine submittals. (This only affects documents that labs routinely submit via email or hardcopy). Please note that labs must continue submitting chemical monitoring data through electronic data transfer (EDT) using the established procedure, as described at:

http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/EDT.shtml.

Use of this guidance and updates:

Please be advised that not following the formatting guidelines above may cause a delay in the review of your submission, and you may be requested to resubmit document(s). This guidance may be updated periodically to reflect the evolving nature of the technology and the experience of those using this technology. You will be notified of any changes that affect your water system.